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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/505,594	02/16/2000	Jay Paul Drummond	D-1120-R1	5969
28995	7590	01/16/2004	EXAMINER	
RALPH E. JOCKE 231 SOUTH BROADWAY MEDINA, OH 44256			SUBRAMANIAN, NARAYANSWAMY	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 01/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/505,594

Applicant(s)

DRUMMOND ET AL.

Examiner

Narayanswamy Subramanian

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) 12-44 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 February 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This is in response to Applicants' communication dated October 29, 2003. Election of claims 1-9 with traverse by the Applicants is acknowledged. Examiner has found the Applicants' arguments to combine groups I and II persuasive and hence claims 1-11 will be considered together for examination purposes. Amendments to claims 8 and 36 and addition of new claim 44 have been entered. Arguments with regards to restriction/election are addressed below. Elected claims 1- 9 have been examined. The rejections are stated below.

Response to Arguments

2. Examiner has found the Applicants' arguments to combine groups I and II persuasive and hence claims 1-11 will be considered together for examination purposes. With respect to other groupings the reasons for restricting the claims into the categories have been presented in the last office action. However for the sake of clarity the following additional information is presented. With respect to groups I and III, the features such as "a user interface software component, a lookup service and service proxy software component" that are present in group III are not present in group I, clearly making the two inventions distinct and separate. They also require separate searches. Groups IV – VI are "method" claims that are clearly different and distinct from the "apparatus" claims of groups I – III. The method of claims IV – VI can also be performed with apparatuses different from those claimed in groups I-III, making these method claims have a different utility from the apparatus claims of groups I – III. Groups VII and VIII are apparatus claims that detail the configuration of these apparatuses. The apparatus claims of groups I-III can also be made functional with a different configuration than those claimed in groups VII and VIII, making the former have a different utility from the apparatus claims of the

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latter. The new claim 44 relates closely to the features of claim 36 and hence belongs to group VII. Also these groups also require separate searches.

Even though all the groupings are classified in the same class and subclass, the inventions are separate as discussed above and in the last office action. Business methods being a relatively new technology from the standpoint of patents, several separate subcategories are grouped together in the same subclass even though one with ordinary skill in the art would clearly delineate these subcategories as warranting separate subclasses. Hence different fields of search are warranted. The statement by the applicants that "search and examination of the entire application can be made without serious burden" is not a test of "serious burden" imposed on the examiner.

Applicants' other arguments have been considered but are non-persuasive. Hence with the exception of combining groups I and II for examination purposes, the restriction of the claims is maintained. On the issue of rejoinder, the Examiner is willing to consider rejoining the set of method claims that are closely related to the elected apparatus claims of 1-11 when the elected claims are allowed. For the reasons cited in the last office action (Paper No. 7) and the additional reasons given above, claims 12-44 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention. Applicants are respectfully advised to cancel the non-elected claims 12-24, 36-44 and the method claims that do not closely relate to the elected claims of groups I and II, in response to this office action.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Coutts et al (US Patent 6,311,165 B1).

With reference to claims 1 and 2, Coutts teaches an automated transaction machine comprising: a plurality of transaction function devices, wherein each transaction function device includes an associated device computer processor, wherein at least one device computer processor associated with a first transaction function device is operative responsive to being placed in operative connection with at least one other device computer processor associated with a second transaction function device, to cause the first transaction function device to become automatically interoperative with the second transaction function device, wherein the first transaction function device interacts with the second transaction function device in carrying out a financial transaction with the automated transaction machine and further comprising a network, wherein the network is in operative connection with at least one data store, wherein the data store includes a transaction function device driver, wherein the second transaction function device is operative responsive to the driver, wherein the first transaction function device interacts with the second transaction function device responsive to operation of the driver (See Coutts Abstract, Column 3 line 10 – Column 4 line 54, Claims 1-5).

With reference to claims 3-9, Coutts teaches an automated transaction machine wherein the driver is a hardware independent software component that is operative in the device computer

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processor associated with the first transaction function device; wherein the device computer processor associated with the second transaction function device is operative to cause the driver to be stored in the data store; wherein the device computer processor associated with the first transaction function device is operative to acquire the driver from the data store; wherein the device computer processor associated with the first transaction function device includes a virtual machine, wherein the driver is operative in the virtual machine; wherein the driver includes a method that is operative to cause the second transaction function device to perform a portion of the transaction, wherein the device computer processor associated with the first transaction function device is operative to invoke the method; wherein the device computer processor associated with the second transaction function device is operative to cause the first transaction function device to perform a portion of the transaction responsive to a remote procedure call by the driver and wherein the second transaction function device includes a sheet dispenser, and wherein the transaction includes the dispense of a sheet from the sheet dispenser. (See Coutts Abstract, Column 3 line 10 – Column 4 line 54, Column 9 lines 53-67, Column 11 line 53 – Column 14 line 11 and Claims 1-5 and 34-35). Cash dispensers are a form of sheet dispensers.

With reference to claims 10 and 11, Coutts teaches an automated financial transaction machine comprising a plurality of transaction function devices, wherein at least one of the transaction function devices includes a sheet dispenser, and wherein each one of the transaction function devices includes an associated device computer, and wherein at least one of the device computers is programmed so that operative connection of a first transaction function device to the machine automatically causes the first transaction function device to coordinate operation with at least one other transaction function device in carrying out a financial transaction which

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includes the dispense of at least one sheet from the sheet dispenser; wherein each of the plurality of transaction function devices includes an associated transaction function device driver, wherein the first transaction function device is operative to coordinate operation with at least one other transaction function device responsive to at least one of the device drivers. (See Coutts Abstract, Column 3 line 10 – Column 4 line 54 and Claims 1-5 and 34-35). Cash dispensers are a form of sheet dispensers.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (703) 305-4878. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (703) 308-1065. The fax number for Formal or Official faxes and Draft or Informal faxes to the Patent Office is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

N. Subramanian
January 10, 2004

Richard Weisberger
Primary Examiner